

Article - Transportation

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§16–402.

(a) After the conviction of an individual for a violation of Title 2, Subtitle 5, § 2–209, § 3–211, or § 10–110 of the Criminal Law Article, or of the vehicle laws or regulations of this State or of any local authority, points shall be assessed against the individual as of the date of violation and as follows:

- (1) Any moving violation not listed below and not contributing to an accident.....1 point
- (2) Following another vehicle too closely 2 points
- (3) Speeding in excess of the posted speed limit by 10 miles per hour or more.....2 points
- (4) Driving with an improper class of license 2 points
- (5) Failing to stop for a school vehicle with activated alternately flashing red lights.....3 points
- (6) Any violation of § 21–1111 of this article 2 points
- (7) Passing an emergency or police vehicle under the provisions of § 21–405(d) of this article..... 2 points
- (8) A violation of § 21–511(a) of this article..... 2 points
- (9) Failure to stop a vehicle for a steady red traffic signal in violation of § 21–202 of this article or a nonfunctioning traffic control signal in violation of § 21–209 of this article 2 points
- (10) Operating a limousine in violation of § 21–1127(a) of this article.....2 points
- (11) Use of a motor vehicle in violation of the Illegal Dumping and Litter Control Law under § 10–110(f)(2)(i) of the Criminal Law Article 2 points
- (12) Use of a motor vehicle in violation of the Illegal Dumping and Litter Control Law under § 10–110(f)(2)(ii) of the Criminal Law Article 3 points

- (13) Any moving violation contributing to an accident 3 points
- (14) Any violation of § 16–303(h) or (i) of this title..... 3 points
- (15) Any violation, except violations committed on the John F. Kennedy Memorial Highway, of § 21–1411 of this article 3 points
- (16) A violation of § 16–301(h), (i), or (j) of this title.....3 points
- (17) Speeding in excess of the posted speed limit by 30 miles per hour or more.....5 points
- (18) Driving while not licensed..... 5 points
- (19) Failure to report an accident..... 5 points
- (20) Driving on a learner’s permit unaccompanied 5 points
- (21) Any violation of § 17–107 of this article 5 points
- (22) Participating in a race or speed contest on a highway 5 points
- (23) Any violation of § 16–304 or § 16–305 of this title 5 points
- (24) Any violation of § 22–404.5 of this article 5 points
- (25) Speeding in excess of a posted speed limit of 65 miles per hour by 20 miles per hour or more 5 points
- (26) Aggressive driving in violation of § 21–901.2 of this article.....5 points
- (27) Use of a motor vehicle in violation of the Illegal Dumping and Litter Control Law under § 10–110(f)(2)(iii) of the Criminal Law Article 5 points
- (28) Reckless driving..... 6 points
- (29) Driving while impaired by alcohol or while impaired by a drug, combination of drugs, or a combination of one or more drugs and alcohol, or driving within 12 hours after arrest under § 21–902.1 of this article.....8 points
- (30) Turning off lights of a vehicle to avoid identification.....8 points

(31) Failing to stop after accident resulting in damage to attended vehicle or property.....8 points

(32) Failing to stop after accident resulting in damage to unattended vehicle or property.....8 points

(33) Any violation of § 16–815 or § 16–816 of this title 8 points

(34) Failing to stop after an accident resulting in bodily injury or death.....12 points

(35) Any violation of § 16–303 of this title, excluding § 16–303(h) or (i)12 points

(36) Any violation of § 16–301(a) through (g) or (k) through (q), § 16–302, § 16–804, or § 16–808(a)(1) through (9) or (b) of this title.....12 points

(37) Homicide, life threatening injury under § 3–211 of the Criminal Law Article, or assault committed by means of a vehicle 12 points

(38) Driving while under the influence of alcohol, while under the influence of alcohol per se, or while impaired by an illegally used controlled dangerous substance.....12 points

(39) Any felony involving use of a vehicle 12 points

(40) Fleeing or attempting to elude a police officer 12 points

(41) The making of a false affidavit or statement under oath, or falsely certifying to the truth of any fact or information to the Administration under the Maryland Vehicle Law or under any law relating to the ownership or operation of motor vehicles.....12 points

(42) Any violation involving an unlawful taking or unauthorized use of a motor vehicle under § 7–105 or § 7–203 of the Criminal Law Article, or § 14–102 of this article.....12 points

(43) A violation of § 21–1124.3 of this article 12 points

(b) If a conviction occurs on multiple charges based on offenses alleged to have been committed at the same time or arising out of circumstances simultaneous in time and place, the Administration:

(1) Shall assess points against the individual convicted only on the charge that has the highest point assessment; and

(2) May not assess points on the remainder of the multiple charges.

(c) (1) On receiving a record of conviction of any moving violation by an individual whose license is currently revoked, the Administration may extend the date before which the individual is eligible for reinstatement and, if the date is extended, shall issue to the individual a notice that:

(i) States the duration of the extension of the license revocation, dating from the date of the violation, during which the individual's license may not be reinstated; and

(ii) Advises the individual of the right to request a hearing.

(2) A notice issued under this subsection, and a hearing requested by the individual, shall meet the requirements of Title 12, Subtitle 2 of this article.

(3) The Administration may extend the period of a license revocation under this subsection for not more than the period of time specified in paragraph (4) of this subsection:

(i) If the individual does not request a hearing as provided by Title 12, Subtitle 2 of this article;

(ii) After a hearing, if the individual is determined to have been convicted of a violation described in this subsection while the individual's license to drive was revoked; or

(iii) If the individual fails to appear for a hearing requested by the individual under this subsection.

(4) The Administration may extend the period of license revocation for not more than:

(i) 1 year if it is the individual's first violation;

(ii) 18 months if it is the individual's second violation; or

(iii) 2 years if it is the individual's third or subsequent violation.

(d) Notwithstanding any other provision of this title, the Administration may not revoke a license that is currently revoked.

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